

**Apr 29, 2024**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JEREMY SMART,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

NO: 1:23-CV-3180-TOR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand. ECF No. 17. The parties have agreed that this case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

**IT IS HEREBY ORDERED:**

1. The Parties' Stipulated Motion for Remand, ECF No. 17, is **GRANTED**.

This case is **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings.

2. On remand, the ALJ will further develop the record as necessary and offer Plaintiff an opportunity for a new hearing. The ALJ shall issue a new decision after proceeding through the sequential evaluation and, as necessary, obtaining supplemental evidence from a vocational expert to clarify the effect of the assessed limitations on the claimant's occupational base. If relying on vocational expert evidence, the ALJ will identify and resolve any conflicts between the occupational evidence provided by the vocational expert and information in the Dictionary of Occupational Titles and its companion publication, the Selected Characteristics of Occupations.
3. Upon proper presentation, this Court will consider Plaintiff's application for costs and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a), (d).
4. All pending motions, hearings and the remaining briefing schedule are **vacated** as moot.

The District Court Executive is hereby directed to file this Order, provide copies to counsel, enter **JUDGMENT** for Plaintiff, and **CLOSE** the file.

**DATED** April 29, 2024.



*Thomas O. Rice*  
THOMAS O. RICE  
United States District Judge